RNI No. MAHENG /2009/35528

सत्यमेव जयते

# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ११, अंक ३८(२)] सोमवार, नोव्हेंबर ३, २०२५/कार्तिक १२, शके १९४७ [पृष्ठे ५, किंमत : रुपये २७.००

**असाधारण क्रमांक ८४**

### प्राधिकृत प्रकाशन

**महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्राख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).**

In pursuance of clause (*3*) of article 348 of the Constitution of India, the following translation in English of the Mumbai Municipal Corpporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2025 (Mah. Ord. XI of 2025), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

[Translation in English of the Mumbai Municipal Corpporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2025 (Mah. Ord. XI of 2025), is hereby published under the authority of the Governor].

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**URBAN DEVELOPMENT DEPARTMENT**

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 3rd November 2025.

**MAHARASHTRA ORDINANCE No. XI OF 2025.**

*AN ORDINANCE*

*further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.*

**WHEREAS** both Houses of the State Legislature are not in session ;

III of 1888. LIX of 1949. Mah. XL of 1965.

**AND WHEREAS** the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ;

**NOW, THEREFORE,** in exercise of the powers conferred by clause (*1*) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

## CHAPTER I

## PRELIMINARY

Short title and commencement.

**1.** (*1*) This Ordinance may be called the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2025.

(*2*) It shall come into force at once.

## CHAPTER II

## AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment of section 5B of III of 1888.

**2.** In section 5B of the Mumbai Municipal Corporation Act (hereinafter, in this Chapter, referred to as "the Mumbai Municipal Corporation Act"), for the existing provisos, the following provisos shall be substituted, namely :— III of 1888.

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

Amendment of section 37 of III of 1888.

**3.** In section 37 of the Mumbai Municipal Corporation Act, in sub-section (*2A*), for the existing provisos, the following provisos shall be substituted, namely :—

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being the Mayor.".

## CHAPTER III

## AMENDMENTS TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

LIX of 1949.

**4.** In section 5B of the Maharashtra Municipal Corporations Act (hereinafter, in this Chapter, referred to as " the Maharashtra Municipal Corporations Act"), for the existing provisos, the following provisos shall be substituted, namely :— Amendment of section 5B of LIX of 1949.

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

**5.** In section 19 of the Maharashtra Municipal Corporations Act, in sub-section (*1B*), for the existing provisos, the following provisos shall be substituted, namely :— Amendment of section 19 of LIX of 1949.

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being the Mayor.".

## CHAPTER IV

## AMENDMENTS TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Amendment of section 9A of Mah. XL of 1965.

**6.** In section 9A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter, in this Chapter, referred to as " the Municipal Councils Act "), for the existing provisos, the following provisos shall be substituted, namely :— Mah. XL of 1965.

" Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

Amendment of section 51-1B of Mah. XL of 1965.

**7.** In section 51-1B of the Municipal Councils Act, for the existing provisos, the following proviso shall be substituted, namely :—

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a President.".

## STATEMENT

Sections 5B and 37 of the Mumbai Municipal Corporation Act (III of 1888), sections 5B and 19 of the Maharashtra Municipal Corporations Act (LIX of 1949) and sections 9A and 51-1B of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) provides that, every person desirous of contesting election to a seat of Councillor or post of Mayor or President reserved for person belonging to the Scheduled Castes, Scheduled Tribes or Backward Classes of Citizens, shall submit, alongwith the nomination paper, Caste Certificate issued by the Competent Authority and the Validity Certificate issued by the Scrutiny Committee in accordance with the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes *(Vimukta Jatis)*, Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 (Mah. XXIII of 2001) and the rules made thereunder.

**2.** In the year 2025-2026 elections to local bodies are to be held in the State on a large scale. The Caste Scrutiny Committees will receive large number of applications for issuing Validity Certificates from candidates who desire to contest such elections to reserved seats. Therefore, the Caste Scrutiny Committees may get overburdened with the work of scrutiny of such applications, before filing of nominations for such elections and such situation may arise after every five years before such elections.

The prospective candidates may get deprived of the opportunity to contest such elections for the reserved seats because of the non-issuance of the Caste Validity Certificate by the Caste Scrutiny Committee in time. Therefore, the Government considers it expedient to amend the said municipal laws suitably with a view to allow the persons contesting elections for reserved seats and who have applied to the Caste Scrutiny Committee for obtaining Caste Validity Certificate, to submit the Validity Certificate within six months from the date on which they are declared elected, and also to provide that if they fail to produce the Validity Certificate within six months, their elections shall be deemed to be terminated retrospectively.

**3.** As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 2nd November, 2025.

ACHARYA DEVVRAT,
Governor of Maharashtra.

By order and in the name of the
Governor of Maharashtra,

DR. K. H. GOVINDA RAJ,
Additional Chief Secretary to Government.

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